

Interagency Human Trafficking Task Force
Data Collection and Information Sharing Subcommittee Meeting
December 19th, 2012
Convened at 9:00 am

Members present: Amy Farrell (co-chair), Chief Tom Pasquarello (co-chair), Chris Carroll, Susan Goldfarb, Lori Ann Bertram

Members absent: Mike Coelho (EOPSS)

Massachusetts Attorneys General Staff Present: Deborah Bercovitch, Jocelyn Jones
Guests: Julie Dahlstrom (Lutheran Social Services), Erin Albright (International Institute Boston)

The meeting opened with a discussion of the subcommittee summary. The group spent some time discussing the need for definitions.

The group agreed that we should recommend to the Attorney General that a simplified definition of human trafficking under MA law is needed. There is some concern that without a clear definition people will use the federal definition which has a higher burden. This definition should guide the identification of victims and reporting of victims to information sharing/data collection systems. Some members of the group recommend that key terms in the statutory definition needed to be clarified. The subcommittee did not think it was within our responsibilities to draft the simplified definition. The group recognized many competing interests and challenges of developing a simplified definition. These include:

- different agency needs and worldviews about trafficking
- trafficking is at the intersection of other criminal elements
- trafficking victimization may be a subjective experience
- scope of victimization varies

The group agreed that a definition is not necessary for screening, instead practitioners should use screening questions. We would like to see 1-2 questions added to regular intake forms to help alter different types of practitioners that they should be on the lookout for human trafficking victimization. (These might include “Is anyone making you do something you do not want to do?” “Has there been a time when you felt you could not leave your job/pressured to work” “Have you ever exchanged sex for money or something of value” or “Is anyone threatening you?”) If the answer is yes then the practitioner would screen further using the screening questions.

A definition is necessary for entry into database, information sharing and victim services/law enforcement action.

Definition for purposes of entry into the database might include a category of potential victim and confirmed victim or high risk and exploited. This would allow victim services, law enforcement and others to track individuals or incidents that may not rise to the level of the official definition.

The group then moved on to the discussion of the protocol to guide the screening of adults. There were some additional questions suggested such as:

- Are you getting paid for your work?
What would happen if you leave your work?
- How much as you getting paid?
- Has there been a time when you felt pressured to work?
- How does your actual work situation differ from your expectations?

Some group members and guests expressed concern that we not ask specific questions about if someone is working now if they are not a citizen. Wage and hour indicated that they don't ask questions about immigration/documentation status.

In terms of how to begin the screening the group suggested we need to be clear that the screener will only make referrals to government agency if the victim (potential victim) wants that to happen. Unlike minors, for adults victim service providers will need to get consent to share information with multidisciplinary team, coordinator or in a shared trafficking data collection system. The group thought it was important that the person know their rights. The group also thought that the protocol should guide users to provide both negative and positive information about options. For example, if they are referred to law enforcement what are the potential outcomes? They should identify but not overstate possible risks. It may be part of the goals of victim service providers to help overcome the stigma of reporting to law enforcement where appropriate. It may be important to notify a person that DCF may have to be notified if there are concerns about the safety of a persons children.

It is important to be clear in the protocol that you often cannot ensure the safety of adults once they leave the situation where they are screened. It is important to make a safety plan with persons or referrals before they leave. The group recommended developing a one page "if you need help" handout with information about where to get various types of assistance and support.

The group also expressed concern that the protocol offer guidance about how to assess the language and literacy issues of a person before starting the screening. If interpreters are needed it is critical to ensure that the potential victim feels comfortable with the interpreter and that the interpreter is not connected to the trafficker or the trafficking situation.

Location/Housing of coordinator: The group agreed that the basic principles of a case coordinator and multidisciplinary team approach should be recommended for both adults and minors. There was some disagreement about where the case coordinator should be located. There were positive and negative aspects to locating the case coordinator with in the DA's office. A recommendation that the case coordinator be housed out of MOVA. The group also discussed whether a single coordinator could handle both adult and minor cases. There are benefits to someone who understands all types of trafficking and is holistic in their approach. But volume of cases could become overwhelming in some counties or regions and the law is different between adults and minor so different areas of specialization might be needed.

Instead of a coordinator housed at each county DA the group discussed the possibility of a regional coordinator, maybe aligned with State Police regions (offices in Springfield, Worcester, New Bedford and Boston).

Role of coordinator: The coordinator would need to have ability to coordinate across both state and federal cases/investigations. It is essential that the case coordinator is connected to both state and federal partners and victim service providers and has positive working relationships with all partners. Some concern raised by the group the federal partners may not agree to use the state definition and some victim service providers may be bound by federal definition standard to provide services. Some group members raised concern that federal partners would not agree to CP or T visa certification of victims that met state definition but not federal definition.

The group suggested that since coordination between state and federal partners is important we may need to map out a system of connections. Many are informal and work well between some local, state and federal partners but they are not working statewide.

The group also raised the question about whether the cases/referrals would be vetted by the case coordinator before being sent to the multidisciplinary team.

Some group members stressed that the protocol should clarify that multiple law enforcement and victim service providers have to work together as a team. Victims should not be shipped around to different agencies but they should work as a team to coordinate interviews and reduce the number of times a victim must be interviewed where possible. The multidisciplinary team would need to agree on what the goals are for cases generally and for individual cases.

Group members suggested a regional system of connections. Who you call when you are in a specific region and what will happen beyond Massachusetts.

Meeting adjourned at 10:30 am.